

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CASE NO. 03-CR-10356-MLW

UNITED STATES

VS.

FREDERICK A. SIMONE,  
a/k/a FREDDY, a/k/a  
THE NEIGHBOR,

VINCENT C. GIOCCHINI,  
a/k/a DEE DEE; and

FRANCIS WHITE, a/k/a  
THE WHITE-HAIRED GUY

**AFFIDAVIT OF COUNSEL REGARDING THE STATUS OF  
DEFENDANT, FREDERICK SIMONE'S PENDING STATE CASES**

I, Kevin J. Reddington, Esq., being first duly sworn, depose and say that;

- 1.) I am an attorney licensed to practice law in the Commonwealth of  
Massachusetts and I am also licensed to practice law in the United States  
District Court. My BBO # is 414160.
- 2.) I represent the defendant, Frederick A. Simone in his matters presently  
pending in the United States District Court.
- 3.) I have consulted with Attorney Richard Egbert regarding the status of Mr.  
Simone's pending state matters and have been advised by Patricia  
DeJuneas of his office that the following motions are pending;
  - Motion to Suppress Fruits of Search Warrant;
  - Motion to Suppress Evidence Derived From Wiretap Warrants;
  - Motion to Suppress Evidence Derived from Bugging Warrants;

-Motion for Amral Hearing, and;

-Motion for Franks Hearing.

- 4.) I have been advised that on May 12, 2004 the Amral and Franks motions were denied. The other motions are still pending with an anticipated decision to be delivered within the next two weeks.
- 5.) Discovery has been largely completed in the case although additional motions may be filed if deemed appropriate by Attorney Egbert. As of May 12, 2004 there are no scheduled court dates and no trial date has been scheduled.

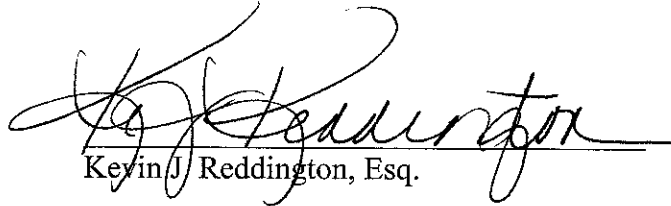
Signed under the pains and penalties of perjury this 12<sup>th</sup> day of May, 2004.

A handwritten signature in black ink, appearing to read "Kevin J. Reddington", with a long horizontal flourish extending to the right.

**CERTIFICATE OF SERVICE**

I, Kevin J. Reddington, Esq., Attorney for the Defendant, Frederick Simone, hereby certify that I have forwarded a copy of the within Affidavit of Counsel Regarding The Status of Defendant, Frederick Simone's Pending State Cases, this date, via fax transmission and regular mail, to;

Ernest S. DiNisco  
Assistant United States Attorney  
United States District Court  
John Joseph Moakley U.S. Courthouse  
1 Courthouse Way, Suite 9200  
Boston, MA 02210

  
Kevin J. Reddington, Esq.

DATED: May 12, 2004